

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Werner Wolfgang Rümmer,)
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)
)
 ORDER
Plaintiff,)
)
)
vs.)
)
State of North Dakota, et. al.,) Case No. 1:12-cv-020
)
)
Defendants.)

Before the court is a Motion to Compel filed by plaintiff on August 14, 2013. According to plaintiff, he had yet to receive a response to interrogatories he sent to Defendant Dr. John Hagan in June 2013. He asked the court to issue an order compelling Dr. Hagan to respond to his interrogatories.

On August 20, 2013, defense counsel filed a response to plaintiff's motion to compel. Counsel asserted that Dr. Hagan had not received plaintiff's interrogatories.

On August 26, 2013, plaintiff filed a reply to defense counsel's response to his motion. Although he steadfastly insisted that he had sent interrogatories to Dr. Hagan in June, plaintiff acknowledged there was "no harm/no foul" and agreed to re-send his interrogatories to Dr. Hagan.

As it appears plaintiff has ostensibly withdrawn his motion to compel and agreed to re-send his interrogatories to Dr. Hagan, the court deems plaintiff's motion (Docket No. 56) **MOOT**.

IT IS SO ORDERED.

Dated this 25th day of September, 2013.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr., Magistrate Judge
United States District Court